

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**DELTA ASPHALT, INC., and  
SOUTHERN ILLINOIS ASPHALT  
COMPANY, INC.,**

**Plaintiffs,**

**v.**

**TRAVELERS CASUALTY & SURETY  
COMPANY,**

**Defendant.**

**No. 05-CV-0543-DRH**

**ORDER**

**HERNDON, District Judge:**

On May 1, 2006, Plaintiffs filed a stipulation of dismissal (Doc. 26) and on May 2, 2006, Defendant Travelers Casualty & Surety Company filed a dismissal with prejudice of counterclaim (Doc. 27). The stipulations state that the matter may be dismissed with prejudice with each party to bear their own costs. The Court **ACKNOWLEDGES** the stipulation of dismissals and **DISMISSES with prejudice** this cause of action. Further, the Court **DIRECTS** the Clerk of the Court to enter judgment reflecting the same.

**IT IS SO ORDERED.**

Signed this 3rd day of May, 2006.

/s/ **David RHerndon**  
**United States District Judge**